

REMARKS

The last Office Action of March 23, 2006 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1, 2, 5, 6, 8-10, 14-19 are pending in the application. Claims 1, 9, 15, 17, 18 have been amended. Amendments to the specification have been made. No fee is due.

It is noted that claims 8 and 16 are rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make/use the invention commensurate in scope with these claims. Claims 1, 2, 5, 6, 8-10 and 14-17 are also rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 6, 9, 14 and 15 stand rejected under 35 U.S.C. §102(b) as being anticipated by published U.S. Appl. No. 2001/0030055 to Walling.

Claims 1, 5, 8, 9, 16 and 17 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,095,175 to Yoshida et al.

Claims 2 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshida et al in view of U.S. Pat. No. 2,978,530 to Braeckmann.

Claims 18 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Walling.

REJECTION UNDER 35 U.S.C. §112, FIRST PARAGRAPH

Applicant submits herewith a new Fig. 4 to show the outer co-extruded conductive layer about the stranded conductor. The specification has been

amended to make it consistent with the addition of Fig. 4. These changes are self-explanatory and do not contain new matter.

Withdrawal of the rejection of the claims 8 and 16 under 35 U.S.C. §112, first paragraph is thus respectfully requested.

REJECTION UNDER 35 U.S.C. §112, SECOND PARAGRAPH

Applicant has amended claims 1 and 9 by deleting the reference to the "subconductor". Claims 15 and 17 have been amended to also address the §112, sec. para. rejection. These changes are self-explanatory so that further discussion is not necessary.

Withdrawal of the rejection of claims 1, 2, 5, 6, 8-10 and 14-17 under 35 U.S.C. §112, second paragraph is thus respectfully requested.

REJECTION UNDER 35 U.S.C. §102(b) AND 35 U.S.C. §103(a)

In order to clearly distinguish the present invention from the applied prior art, applicant has amended independent claims 1, 9 and 18 by expressly reciting the random configuration of the individual filaments of a litz wire. Although the specification does not expressly describe this feature, support can be found in the illustrations of original Figs. 1, 2 and 3 which shows the unorganized or spontaneous disposition of the filaments (1).

The present invention is directed to a stranded conductor of a litz wire type which is made up of multiple individually insulated filaments in random disposition (see, e.g., abstract of the instant specification). In other words, litz wires consist of flexible wires that are drawn very fine and thus are very thin. As a result, litz wires are highly flexible and easy to handle. Litz wires should not be confused with conductors of a cable which are comparably massive and arranged in symmetry.

Walling discloses a patch cable having two conductors, whereby each conductor has seven strands. As shown in Fig. 2, the strands of each conductor

are placed in an orderly fashion in symmetric relationship. The same is true for the Yoshida et al. reference which discloses a plastic insulated cable having a conductor in which the wires are placed in a precise symmetric arrangement. Reference is made to col. 4, lines 30 to 32, relating to a particular arrangement of "1 + 6 + 12" pattern of wires.

For the reasons set forth above, it is applicant's contention that neither Walling nor Yoshida et al, nor a combination thereof teaches or suggests the features of the present invention, as recited in independent claims 1, 9 and 18.

As for the rejection of the retained dependent claims, these claims depend on claims 1, 9 and 18, respectively, share their presumably allowable features, and therefore it is respectfully submitted that these claims should also be allowed.

Withdrawal of the rejection under 35 U.S.C. §§102(b) and 103(a) and allowance of claims 1, 2, 5, 6, 8-10 and 14-19 are thus respectfully requested.

CITED REFERENCES

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the claims on file. It is thus felt that no specific discussion thereof is necessary.

CONCLUSION

Applicant believes that when reconsidering the claims in the light of the above comments, the Examiner will agree that the invention is in no way properly met or anticipated or even suggested by any of the references however they are considered.

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

By: 

Henry M. Feiereisen
Agent For Applicant
Reg. No: 31,084

Date: June 22, 2006
350 Fifth Avenue
Suite 4714
New York, N.Y. 10118
(212)244-5500
HMF:ub